

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) No. 4:07-CV-128-TSL-LRA
GASTON BARRETT, et al.,)
Defendants.)

STATUS REPORT

Pursuant to the Court's Order of March 19, 2009, Plaintiff United States of America and Defendants Gaston Barrett and Central Mississippi Properties, Inc., hereby report on the status of this case as follows:

1. Since the parties' last status conference with the Court on March 6, 2009, the parties attended mediation in New Orleans, Louisiana, before John Perry, Esq., on April 23, 2009.
 2. The parties made substantial progress toward resolving this matter short of contest litigation.
 3. Significant details remain, however, and the parties are following the mediator's suggested outline and schedule to determine whether a settlement can be reached.
 4. Under that outline and schedule, Defendants are to provide information concerning off-site wetlands mitigation as soon as possible, and then the parties are to conduct a meeting concerning on-site restoration and off-site mitigation by mid May 2009. Provided those issues are worked out, the parties are to report to the mediator for guidance on remaining aspects

of potential settlement, including proposed civil penalties.^{1/}

5. Currently, the Court has stayed Defendants' obligation to answer or otherwise respond to the United States' complaint pending the outcome of mediation.

6. The parties suggest that the stay remain in effect, and they will file a status report by May 29, 2009, regarding the status of settlement negotiations.

7. Prior to filing this status report, the United States shared a draft of it with Defendants (and incorporated Defendants' comments). Defendants have authorized the United States to file this status report on behalf of all parties.

Respectfully submitted,

JOHN C. CRUDEN
Acting Assistant Attorney General
Environment & Natural Resources Division

Dated: 4/28/09

/s/ Andrew J. Doyle
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^{1/} The United States has also circulated a draft consent decree to Defendants, and Defendants have agreed to provide comments about the draft as soon as possible.